

LAND ACQUISITION PETITION OF:

**STATE ROADS COMMISSION OF THE STATE
HIGHWAY ADMINISTRATION**

**Acting for and on behalf of the
STATE OF MARYLAND
707 North Calvert Street
Baltimore, MD 21202**

Plaintiff

RIGHT OF WAY ACQUISITION:

**Contract No. WI158A37
Item No. 114758
Project: US 13 Business Traffic Signalization**

PROPERTY OWNER:

**PENNSYLVANIA LINES, LLC
1209 Orange Street
Wilmington, DE 19801**

**C/O NORFOLK SOUTHERN RAILWAY
COMPANY, Successor by merger to
PENNSYLVANIA LINES, LLC
3 Commercial Place
P.O. Box 209
Norfolk, VA 23510-0209**

SERVE ON:

**Pennsylvania Lines, LLC, c/o
The Corporation Trust, Inc., Resident Agent
300 E. Lombard Street
Baltimore, MD 21202-3219**

**Norfolk Southern Railway Company,
c/o CSC-Lawyers Incorporating Svc. Co.,
Resident Agent
7 St. Paul Street, Suite 820
Baltimore, MD 21202**

Fee Simple Owner

Defendant

IN THE

CIRCUIT COURT

FOR

WICOMICO COUNTY


Case No. C-22-CV-25-000207


LAND ACQUISITION PETITION

The State Roads Commission of the State Highway Administration, acting for and on behalf of the State of Maryland ("SRC"), files this Land Acquisition Petition pursuant to Md. Transp. Code Ann. § 8-323 and Rule 12-213.

1. SRC has deemed it necessary to file this Land Acquisition Petition pursuant to Md. Transp. Code Ann. §§ 8-318 through 8-331 (*Part III. "Quick Take" Condemnation by Commission – Board of Property Review Procedure*). This Petition does not require an Answer.

2. The property interests, rights and controls, if any, that the SRC seeks to acquire by this action are shown as Item No. 114758 on SHA Plat No. 61672 ("Subject Property"), and described as follows:

a. **PERPETUAL EASEMENT FOR SPECIAL PURPOSE.** 589 square feet or 0.013 of an acre of land, more or less, for a perpetual easement as shown hatched thus .

b. **TEMPORARY CONSTRUCTION EASEMENT.** 241 square feet or 0.006 of an acre of land, more or less, for a temporary easement shown hatched thus , to be used only during the period of construction for the purpose of removing existing Ped Pole, E&S, and fine grading. At the termination of the construction, all rights acquired by the State Highway Administration, or its successors or assigns, shall then terminate and revert to the property owners.

3. The Subject Property is located in the 13th Election District of Wicomico County, in the State of Maryland, and is described as Item No. 114758 on State Highway Administration Plat No. 61672 (Rev. 4-26-23) ("SHA Plat No. 61672"). Pursuant to Md. Transp. Code Ann. § 8-321, SHA Plat No. 61672 was approved by the SRC by Resolution dated May 7, 2025 and was electronically recorded with the State Archives. A reduced copy of SHA Plat No. 61672 is attached to this Land Acquisition Petition and incorporated herein by reference.

4. The property interests, rights and controls, if any, are to be acquired from the property owner (whose name and address is set forth in the caption), who have interests in the Subject Property pursuant to the following:

a. Pennsylvania Lines LLC, a Delaware Limited Liability Company (NKA Norfolk Southern Railway Company), Fee Simple Owner. The Subject Property is now held under the provisions of a deed dated June 1, 1999 and recorded December 9, 1999 among the Land Records of Wicomico County, Maryland, in Liber No. 2550, folio 106, from Consolidated Rail Corporation, a Pennsylvania Corporation unto Pennsylvania Lines, LLC, a Delaware Limited Liability Company. Norfolk Southern Railroad Company acquired Pennsylvania Lines, LLC's business, assets and operations on or around November 5, 2023.

5. The SRC's estimate of the fair market value of the Subject Property and damages, if any, to the remaining property is Fourteen Thousand Nine Hundred Fifty and 00/100 Dollars (\$14,950.00). Pursuant to Md. Transp. Code Ann. § 8-323 (a)(2), the SRC hereby deposits said sum into the Circuit Court for Wicomico County to the use of: Pennsylvania Lines LLC, a Delaware Limited Liability Company (NKA Norfolk Southern Railway Company), Fee Simple Owner.

6. Pursuant to Md. Transp. Code Ann. § 8-324, the SRC may immediately take possession of the Subject Property, proceed with construction on the Subject Property without interference by the property owner, and allow any public or private utility to install its facilities on any land being acquired by the SRC in fee simple.

7. The SRC shall send to each person or entity listed on the List of Interested Parties, attached hereto as Exhibit A, a copy of this Land Acquisition Petition following its filing and the assignment of a case number by the Clerk of the Circuit Court.

STATE ROADS COMMISSION OF THE
STATE HIGHWAY ADMINISTRATION

/s/ Mark J. Alderman

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